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SCHEDULES.

FIFTH SCHEDULE

Section 25.

MODIFICATIONS OF PROVISIONS OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1945, AS APPLIED BY THIS ACT.

General Modifications.

- 1 For references to an order under section one of that Act, and to land as to which such an order is in force or land designated by such an order, there shall be substituted respectively references to an order under section one of this Act, and to land within the area designated by such an order as the site of a new town.
- 2 For references to a compulsory purchase order under that Act, or under Part I of that Act, or under any enactment contained in that Part, and to the compulsory purchase or acquisition of land thereunder, there shall be substituted respectively references to a compulsory purchase order under this Act, or under any enactment contained in or incorporated with this Act, and to the compulsory purchase or acquisition of land thereunder.
- 3 For references to land or buildings acquired for the purposes of Part I of that Act there shall be substituted references to land or buildings acquired for the purposes of this Act.
- 4 For references to the purchase or acquisition of land by a Minister and to land acquired by a Minister there shall be substituted respectively references to the purchase or acquisition of land by the Minister of Transport, and to land acquired by that Minister.
- 5 For references to a local planning authority (except the reference to paragraph (a) of subsection (2) of section twenty-two) there shall be substituted references to a development corporation.
- 6 References to land appropriated for the purposes of Part I of that Act and to the appropriation of land for those purposes shall be omitted.

Additional Modifications of particular sections.

<i>Section.</i>	<i>Modifications.</i>
Section three	<p>In subsection (1) for paragraphs (a) and (b) there shall be substituted the following paragraphs:—</p> <p style="margin-left: 40px;">“(a) outside the area designated under the New Towns Act, 1946, as the site of a new town for the purpose of securing the development of land in that area in</p>

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	<p>accordance with proposals approved by the Secretary of State under that Act; or</p> <p>(b) for the purpose of providing proper means of access to such an area.”.</p>
Section thirteen	<p>In subsection (3) for the words " submitted with an application for" there shall be substituted the words " prepared for the purposes of ".</p> <p>In subsection (1) for the words " The preceding provisions of this Act " there shall be substituted the words " The provisions of the New Towns Act, 1946 " ; and after the words " contained in " there shall be inserted the words " or incorporated with " .</p> <p>In paragraph (b) of subsection (4) for the words " the Minister having jurisdiction by virtue of the enactment in question to authorise a compulsory purchase thereunder" there shall be substituted, the words " the Minister of Transport " .</p> <p>In subsection (5) for the words " subsection (1) of section two or under section four of this Act " there shall be substituted the words " section four of the New Towns Act, 1946 " , and in paragraph (a) of the subsection the words " application for the " shall be omitted.</p>
Section fourteen	<p>Subsections (2), (6) and (7) shall be omitted.</p> <p>In subsection (5), paragraph (b) and the words " and in a case falling within paragraph (b) thereof in accordance with the provisions of section ten of this Act " shall be omitted.</p>
Section fifteen	<p>In subsection (1), the words " or order " shall be omitted ; for the words " twenty-eight days " there shall be substituted the words " six weeks " ; and for the words " this Act " in the fourth and all subsequent places where those words occur, there shall be substituted the words " the New Towns Act, 1946, or this Act " .</p> <p>In subsection (4) for the words " this Act" there shall be substituted the words " the New Towns Act, 1946, or this Act " .</p>

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<i>Section.</i>	<i>Modifications.</i>
Section sixteen	In subsection (1), for the words " The authority on whose application " there shall be substituted the words " The Secretary of State, in the case of " and the words " is made " shall be omitted, and subsection (2) shall be omitted.
Section seventeen	In subsections (1) and (2) for the words " this Part of this Act " there shall be substituted the words " The New Towns Act, 1946, and this Part of this Act ". In subsection (4) for the words " this Part of this Act " in the second place where those words occur, there shall be substituted the words " the New Towns Act, 1946, and this Part of this Act ", and for the words " this Part of this Act (together, in the case of the purchase under section four or subsection (4) of section nine of this Act, with the relevant enactment mentioned in section four of this Act) " there shall be substituted the words " that Act and this Part of this Act ".
Section twenty-one	In subsection (1) for the words " this Part of this Act " in the second place where- those words occur, there shall be substituted the words " that Act ".
Section twenty-two	In subsection (2), in paragraph (a), the words from " except " to " order " shall be omitted.
Section twenty-three	In subsection (3) for the words " a Minister " there shall be substituted the words " the Minister of Transport ".
Section twenty-four	In subsections (5) and (9) for the words " a Minister ", wherever those words occur, there shall be substituted the words " the Minister of Transport ".
Section twenty-five	In subsection (1), in paragraph (a), for the words " any purpose in connection with which a local planning authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946 " ; and in paragraph (b) the words from " or necessitated " in the second place where those words occur to the end of the paragraph shall be omitted. In subsection (5), for the words " any purpose in connection with which the

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Section twenty-nine	<p>authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946 ".</p> <p>In subsection (1), after the word " accommodation," in the first place where that word occurs, there shall be inserted the words " suitable to the reasonable requirements of those persons " ; and at the end of the subsection there shall be added the following paragraph :—</p> <p style="padding-left: 40px;">“Where the land so acquired is land within the area designated under the said Act as the site of a new town, the references in this subsection to residential accommodation shall be construed as references to such accommodation in that area.”</p> <p>In subsection (3), for the words " acquiring or appropriating authority" there shall be substituted the words " corporation or highway authority ".</p> <p>In subsection (5) for the words " a Minister " there shall be substituted the words " the Minister of Transport ".</p>
Section forty-nine	<p>In subsection (2) for the words " section seven of this Act " there shall be substituted the words " section three of the New Towns Act, 1946 ".</p>
Section fifty	<p>In subsection (1), for the words " this Act ", where they first occur, there shall be substituted the words " the New Towns Act, 1946 ".</p> <p>In subsection (7) after the word " inquiry," there shall be inserted the words " and, where the inquiry arises out of a proposed acquisition of land by a development corporation or the proposed extinction of a right of way over land acquired or proposed to be acquired by a development corporation, as to the expenses incurred by the Minister in relation to the 'inquiry (including such reasonable sum as the Minister may determine for the services of the person appointed to hold the inquiry). "</p>
Section fifty A	<p>For the words " this Act " in subsection (1), in subsection (2) in the second place where those words occur, and in subsection (4)</p>

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<i>Section.</i>	<i>Modifications.</i>
Section fifty-two	<p>there shall be substituted the words " the New Towns Act, 1946 ".</p> <p>For the words " this Act ", wherever those words occur, there shall be substituted the words " the New Towns Act, 1946, or this Act " ; and for the words " the authority " wherever those words occur there shall be substituted the words " the Minister, corporation or authority ".</p>
Section sixty-two	<p>The definitions of " clearing", and " loan charges " shall not apply ; and in the definition of " purchasing authority" for the words " a Minister purchasing under this Act " there shall be substituted the words " a development corporation purchasing under section four of the New Towns Act, 1946, and the Minister of Transport purchasing under section three of this Act ".</p>
First Schedule	<p>In paragraph 1, in sub-paragraph (1), the words " an application for an order under section one of this Act " shall be omitted ; for the word " thereof ", in both places where that word occurs, there shall be substituted the words " of this Act " ; and for the words " a Minister " there shall be substituted the words " the Minister of Transport " ; and in sub-paragraph (2) after the word " sub-paragraph" there shall be inserted the words " or by any enactment incorporated therewith ".</p>
Second Schedule	<p>In paragraph 2, in sub-paragraph (1), after the words " and local advertisement " there shall be inserted the words " and by affixing a copy thereof, addressed to ' the owners and any occupiers of the land ' (describing it), to some conspicuous object or objects on the land ".</p> <p>In paragraph 6, for the words " land as to which an application for an order under section one of this Act is pending " there shall be substituted the words ' land in an area proposed to be designated as the site of a new town by an order a draft of which has been published in accordance with the First Schedule to the New Towns Act, 1946 " ; and for the word " application ", in the second place where that word occurs, there shall be substituted the word " order ".</p>

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<i>Section.</i>	<i>Modifications.</i>
Third Schedule	<p>In Part II for the words " a Minister," in both places where those words occur, and the words " the Minister making the order" and the words " the Minister having jurisdiction to make the order" there shall be substituted the words " the Minister of Transport " ; and paragraph 10 shall be omitted.</p> <p>In Part II for the words " a Minister," in both places where those words occur, and for the words " the Minister having, in conjunction with the appropriate Minister, jurisdiction to make: the order" and the words " the Minister having jurisdiction as aforesaid" there shall be substituted the words " the Minister of; Transport ".</p>
Fourth Schedule	<p>In paragraph 1, sub-paragraph (c) shall be omitted.</p> <p>In paragraph 2, in sub-paragraph (4), after the word " right" there shall be inserted the word " or " and the words " refusal of permission, grant of permission subject to conditions, or revocation or modification of permission " shall be omitted.</p>
Fifth Schedule	<p>For the words " Part I of this Act," wherever those words occur, there shall be substituted the words " the New Towns Act, 1946, and Part I of this Act ".</p> <p>In paragraph 1, in sub-paragraph (1) (a) the words " together, in the case of a purchase authorised by virtue of such an order as is mentioned in section four of this Act, with the relevant enactment mentioned in that section " shall be omitted and in sub-paragraph (1) (d) for the words " a Minister " there shall be substituted the words " the Minister of Transport " and for the words " Part I of this Act " there shall be substituted the words " section three of this Act ".</p> <p>In paragraph 8, in sub-paragraph (1) (b) for the words " a Minister" there shall be substituted the words " the Minister of Transport " and for the words " four or nine thereof " there shall be substituted the words " of this Act ".</p> <p>In paragraph 9 for the words " section eleven of this Act," there shall be substituted the</p>

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<i>Section.</i>	<i>Modifications.</i>
Sixth Schedule	words " subsection (4) of section six of the New Towns Act, 1946 ". In paragraph 8 for the words " Part I of this Act " there shall be substituted the words " the New Towns Act, 1946, and Part I of this Act ". In paragraph 12 for the words " a Minister " in both places where those words occur, there shall be substituted the words " the Minister of Transport ".